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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/578,415

05/05/2006

Andrew Thomas Busey

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EXAMINER

RUBIN, BLAKE J

ART UNIT

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08/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,415	Applicant(s) BUSEY, ANDREW THOMAS	
	Examiner BLAKE RUBIN	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/6/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to communications filed July 1, 2008.
2. This application claims priority, under 35 U.S.C. 371, to PCT/US05/13068, which claims priority to provisional applications 60/563,705, 60/563,706, 60/563,719, 60/563,713, and 60/563,615, all of which were filed on April 20, 2004.
3. Claims 1-24 are pending in this application. Claims 1-3, 9-11, and 17-19 are currently amended, claims 25-135 have been formally cancelled.

Specification

4. The disclosure is objected to because of the following informalities: The reference characters, **600** thru **626**, in Figure 6B & 6C are not reference in the specification. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang (US Patent No. 6,865,599, hereinafter Zhang) in view of Wong et al (U.S. Patent No. 6,708,172, hereinafter Wong).**

7. With respect to claim 1, Zhang discloses a computer implemented method (column 4, lines 1-2), comprising:

Receiving, by at least one first information handling system, comprising a computing device, of a user, an excerpt of information associated with the user (column 9, lines 3-4);

in response to receiving the excerpt, automatically translating the excerpt into an XML format (column 9, lines 5-6), to be compatible for operation (column 9, lines 13-15) with at least one second information handling system of the user (column 9, lines 10-12); and

synchronizing the translated excerpt with the second information handling system (column 9, lines 10-12).

But does not disclose a third information handling system.

However, Wong discloses communicating with a third information handling system associated with a server (column 16, lines 36-38; column 18, lines 51-62).

It would have been obvious to one skilled in the art at the time the invention was made to combine Zhang with Wong because a neutral party provides additional security and authentication by validating all end users of the system (Wong, column 18, lines 51-54).

8. With respect to claim 2, the combination of Zhang and Wong discloses the method of claim 1, Zhang further discloses the excerpt has a non-XML format (column 8, lines 22-24), and wherein automatically translating (column 8, lines 24-26) comprises:

in response to the excerpt, automatically translating the excerpt from the non-XML format into the XML format (column 8, lines 24-26), to be compatible for operation with the second information handling system (column 9, lines 13-15).

9. With respect to claim 3, the combination of Zhang and Wong discloses the method of claim 1, Zhang further discloses the excerpt has an alternate XML format (column 8, lines 28-30), and wherein automatically translating (column 8, lines 52-54) comprises:

in response to the excerpt, automatically translating the excerpt from the alternate XML format into a generic XML format (column 8, lines 28-30, and 52-54; *whereby the XPointer, the alternate XML format, is translated to a generic XML format, similarly to the DOM Event Model for cross platform exchange*), to be compatible for operation with the second information handling system (column 9, lines 13-15).

10. With respect to claim 4, the combination of Zhang and Wong discloses the method of claim 1, Zhang further discloses saving the XML-formatted excerpt (column 7, lines 36-37) in a personal folder of the user (column 31, lines 18-21).

11. With respect to claim 5, the combination of Zhang and Wong discloses the method of claim 1, Zhang further discloses the XML-formatted excerpt (column 7, lines 36-37) is a user-specified website (column 6, lines 27-29).

12. With respect to claim 6, the combination of Zhang and Wong discloses the method of claim 1, Zhang further discloses the XML-formatted excerpt (column 7, lines 36-37) is a user-specified search query (Figure 26).

13. With respect to claim 7, the combination of Zhang and Wong discloses the method of claim 1, Zhang further discloses the XML-formatted information (column 7, lines 36-37) is a user-specified search result (Figure 26).

14. With respect to claim 8, the combination of Zhang and Wong discloses the method of claim 1, Zhang further discloses the XML-formatted information (column 7, lines 36-37) is a user-specified item of music (column 5, lines 13-17).

15. With respect to claim 9, Zhang discloses a system, comprising:
at least one first information handling system, comprising a computing device, of a user (column 4, lines 1-2) for:
receiving an excerpt of information associated with the user (column 9, lines 3-4);
in response to receiving the excerpt, automatically translating the excerpt into an XML format (column 9, lines 5-6), to be compatible for operation (column 9, lines 13-15) with at least one second information handling system of the user (column 9, lines 10-12); and
synchronizing the translated excerpt with the second information handling system (column 9, lines 10-12).

But does not disclose a third information handling system.

However, Wong discloses communicating with a third information handling system associated with a server (column 16, lines 36-38; column 18, lines 51-62).

It would have been obvious to one skilled in the art at the time the invention was made to combine Zhang with Wong because a neutral party provides additional security and authentication by validating all end users of the system (Wong, column 18, lines 51-54).

16. With respect to claim 10, the combination of Zhang and Wong discloses the system of claim 9, Zhang further discloses the excerpt has a non-XML format (column 8, lines 22-24), and wherein the first information handling system is for:

in response to receiving the excerpt, automatically translating (column 8, lines 24-26) the excerpt from the non-XML format into the XML format (column 8, lines 24-26), to be compatible for operation with the second information handling system (column 9, lines 13-15).

17. With respect to claim 11, the combination of Zhang and Wong discloses the system of claim 9, Zhang further discloses the excerpt has an alternate XML format (column 8, lines 28-30), and wherein the first information handling system is for:

in response to receiving the excerpt, automatically translating (column 8, lines 52-54) the excerpt from the alternate XML format into a generic XML format (column 8, lines 28-30, and 52-54; *whereby the XPointer, the alternate XML format, is translated to*

a generic XML format, similarly to the DOM Event Model for cross platform exchange), to be compatible for operation with the second information handling system (column 9, lines 13-15).

18. With respect to claim 12, the combination of Zhang and Wong discloses the system of claim 9, and Zhang further discloses the first information handling system is for: saving the XML-formatted excerpt (column 7, lines 36-37) in a personal folder of the user (column 31, lines 18-21).

19. With respect to claim 13, the combination of Zhang and Wong discloses the system of claim 9, Zhang further discloses the XML-formatted excerpt (column 7, lines 36-37) is a user-specified website (column 6, lines 27-29).

20. With respect to claim 14, the combination of Zhang and Wong discloses the system of claim 9, Zhang further discloses the XML-formatted excerpt (column 7, lines 36-37) is a user-specified search query (Figure 26).

21. With respect to claim 15, the combination of Zhang and Wong discloses the system of claim 9, Zhang further discloses the XML-formatted information (column 7, lines 36-37) is a user-specified search result (Figure 26).

22. With respect to claim 16, the combination of Zhang and Wong discloses the system of claim 9, Zhang further discloses the XML-formatted information (column 7, lines 36-37) is a user- specified item of music (column 5, lines 13-17).

23. Claims 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang in view of O'Brien et al (U.S. Patent Application Publication No. 2002/0133561, hereinafter O'Brien).

24. With respect to claim 17, Zhang discloses a computer program product stored on a computer readable medium (column 3, lines 26-29), comprising:

at least one computer program processable by at least one first information handling system, comprising a computing device, of a user (column 4, lines 1-2) for causing the first information handling system to:

receive an excerpt of information associated with the user (column 9, lines 3-4);

in response to receipt of the excerpt, automatically translate the excerpt into an XML format (column 9, lines 5-6), to be compatible for operation (column 9, lines 13-15) with at least one second information handling system of the user (column 9, lines 10-12); and

synchronize the translated excerpt with the second information handling system (column 9, lines 10-12); and

apparatus from which the computer program is accessible by the first information handling system (column 4, lines 1-2).

But does not disclose translating into an XML format without further translation.

However, O'Brien discloses translating into XML format without further translation (paragraph [0088]).

It would have been obvious to one skilled in the art at the time the invention was made to combine Zhang with O'Brien because reducing the amount of translations increases the processing efficiency of the method.

25. With respect to claim 18, the combination of Zhang and O'Brien discloses the computer program product of claim 17, Zhang further discloses the excerpt has a non-XML format (column 8, lines 22-24), and wherein the computer program is processable by the first information handling system for causing the first information handling system to:

in response to receipt of the excerpt, automatically translate the excerpt (column 8, lines 24-26) from the non-XML format into the XML format (column 8, lines 24-26), to be compatible for operation with the second information handling system (column 9, lines 13-15).

26. With respect to claim 19, the combination of Zhang and O'Brien discloses the computer program product of claim 17, Zhang further discloses the excerpt has an alternate XML format (column 8, lines 28-30), and wherein the computer program is

processable by the first information handling system for causing the first information handling system to:

in response to receipt of the excerpt, automatically translate (column 8, lines 52-54) the excerpt from the alternate XML format into a generic XML format (column 8, lines 28-30, and 52-54; *whereby the XPointer, the alternate XML format, is translated to a generic XML format, similarly to the DOM Event Model for cross platform exchange*), to be compatible for operation with the second information handling system (column 9, lines 13-15).

27. With respect to claim 20, the combination of Zhang and O'Brien discloses the computer program product of claim 17, Zhang further discloses the computer program is processable by the first information handling system for causing the first information handling system to: save the XML-formatted excerpt (column 7, lines 36-37) in a personal folder of the user (column 31, lines 18-21).

28. With respect to claim 21, the combination of Zhang and O'Brien discloses the computer program product of claim 17, Zhang further discloses the XML-formatted excerpt (column 7, lines 36-37) is a user-specified website (column 6, lines 27-29).

29. With respect to claim 22, the combination of Zhang and O'Brien discloses the computer program product of claim 17, Zhang further discloses the XML-formatted excerpt (column 7, lines 36-37) is a user-specified search query (Figure 26).

30. With respect to claim 23, the combination of Zhang and O'Brien discloses the computer program product of claim 17, Zhang further discloses the XML-formatted (column 7, lines 36-37) information is a user-specified search result (Figure 26).

31. With respect to claim 24, the combination of Zhang and O'Brien discloses the computer program product of claim 17, Zhang further discloses the XML-formatted information (column 7, lines 36-37) is a user-specified item of music (column 5, lines 13-17).

Response to Arguments

32. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

33. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BLAKE RUBIN whose telephone number is (571) 270-3802. The examiner can normally be reached on M-R: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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BJR

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Supervisory Patent Examiner, Art Unit 2157